IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 18653 of 2004

Between:

Patcha Venkateswarlu S/o late Chinnappa Naidu,
R/o Gilakapadu Village, Rapur Mandal, Nellore district

..... PETITIONER

AND

1 The District Collector, Nellore
2 The Mandal Revenue Officer,

Rapur Mandal, Rapur, Nellore District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus under article 226 of the Constitution of India, declaring the action of the District Collector, Nellore the 1st Respondent in not considering the representation dt 17-8-2004 submitted by the petitioner for granting permission to the pipe line situated in Sy. Nos. 917, 673 and 919 of Gilakapadu Village, Rapur Mandal, Nellore District as arbitrary, illegal, without jurisdiction and consequently direct the District collector, Nellore to consider the representation dt 17-8-2004 submitted by the petitioner.

Counsel for the Petitioner:MR.CH.CKRISHNA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents. Both the counsel agreed to dispose of the writ petition at the admission stage itself.

The only submission made by the learned counsel for the petitioner is that the petitioner laid a pipeline from a bore well dug in his land and through the government land as there is no other source of water to the Lemon Garden and he made a representation on 17-08-2004 to the first respondent-District Collector, Nellore, seeking permission to lay the pipeline through the Government land but so far no orders have been passed.

Having regard to the said fact, it is for the respondents to consider the representation made by the petitioner dated
17-08-2004 and pass appropriate orders.

In view of the same, the respondents are directed to consider the representation made by the petitioner dated 17-08-2004 and pass appropriate orders after due intimation to the petitioner, preferably within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

12th OCTOBER, 2004.

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To

1 The District Collector, Nellore
2 The Mandal Revenue Officer,

Rapur Mandal, Rapur, Nellore District

3 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad (OUT)

4 Two CD copies.